

FILED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

NOV 03 2004

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	Case No. 98:02675-5-AVS
)	Chapter 7
INTERNATIONAL HERITAGE, INC.)	
(TAX ID#: 56-1921093))	Case No. 98:02674-5-AVS
)	Chapter 7
INTERNATIONAL HERITAGE)	
INCORPORATED)	MOTION FOR LEAVE TO
(Tax ID#: 87-0421191))	PROCEED IN FORMA PAUPERIS
)	
Address: 2626 Glenwood Avenue, Suite 200)	
Raleigh, NC 27608)	

Now comes Stanley H. Van Etten, Pro Se, and pursuant to 28 U.S.C. 1915(a), respectfully move this Court for a LEAVE TO PROCEED IN FORMA PAUPERIS, for the reasons stated herein.

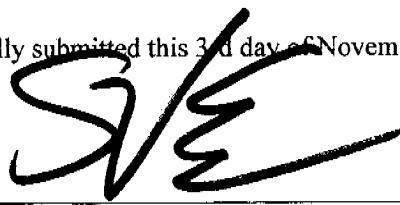
In support of this Motion, Pro Se Defendant Stanley H. Van Etten shows the Court the following:

1. Van Etten attempted to file an Appeal of Order Dismissing Motion to Show Cause; however, the Bankruptcy Clerk's Office would not accept the Appeal without the payment of a \$250 filing fee and/or posting of a cash bond.
2. Stanley H. Van Etten does not have and cannot borrow the required \$250 filing fee.
3. Van Etten is legally indigent, so ruled Chief U.S. District Court Judge, Terrence W. Boyle, EDNC #5:02-CR-263.
4. Paul Sun is Van Etten's Appointed Counsel in District Court.
5. Van Etten is Pro Se in Bankruptcy Court, as the Appointment of Counsel does not include civil matters within the Bankruptcy Court.

Conclusion

Van Etten hereby moves the Court for an Order; 1) authorizing Van Etten to proceed in Forma Pauperis, and 2) authorizing the waiver of any filing fee and/or cash bond required of Appeal, and 3) authorizing Van Etten's Appeal to Proceed and all necessary authorization thereto.

Respectfully submitted this 3rd day of November 2004.



STANLEY H. VAN ETEN

CERTIFICATE OF SERVICE

I, Stanley H. Van Etten, do hereby certify that all parties listed below are served a copy of the herein response, by mailing a complete copy thereof to each such party at the address indicated below with its proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Post Office, to include those parties requesting electronic service via email.

Marjorie K. Lynch
Bankruptcy Administrator
P.O. Box 3039
Raleigh, NC 27602-3039

Terri L Gardner
Poyner & Spruill, LLP
PO DRAWER 10096
RALEIGH, NC 27605-0096

Holmes P Harden
Maupin, Taylor & Ellis, Pa
P. O. Drawer 19764
Raleigh, NC 27619

Stephani Wilson Humrickhouse
Nicholls & Crampton, P.A.
PO Box 18237 Raleigh, NC 27619

Wood & Francis, PLLC
P.O. Box 164
Raleigh, NC 27602

Scott Wilkinson
617 Sarah Lawrence Court
Raleigh, NC 27609

Office of the U.S. Attorney
AUSA Neal Fowler
310 New Bern Avenue
Suite 800
Raleigh, NC 27601

Brent Wood
1135 Kildaire Farm Road
Suite 311-8
Cary, NC 27511

SVE